



UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2005 FEB -8 P 12: 54

U.S. DISTRICT COURT
DISTRICT OF MASS

CASE NO. 05-10008-RGS

Rodney G. Smith, Exec. Director of]
The Teamsters Union 25 Health]
Service & Insurance Plan,]
Plaintiff]
VS]
Mark Equipment Corp.,]
Defendant]
Eastern Bank]
Trustee]

ANSWER OF TRUSTEE

Eastern Bank, Summoned as trustee for the defendant, Mark Equipment Corp., in the above-entitled matter, says that at the time of service of the summons upon Eastern Bank on January 19, 2005 it had in its possession, goods, effects, or credits in the amount of \$ 5137.50 that are conditionally due the defendant.

Signed under the penalties of perjury by Elaine Burke, Assistant Operations Manager of Eastern Bank, this 4th day of February 2005.

A handwritten signature in cursive script, reading 'Elaine Burke', underlined.

Certificate of Service

I, Elaine Burke, hereby certify that I this date served a copy of the within Answer of Trustee upon the Plaintiffs, Rodney G. Smith, et al., by mailing a copy of the same, postage prepaid, this date addressed to Matthew E. Dwyer & Brian M. Maser, One Center Plaza, Ste 360, Boston, MA 02108, Plaintiff's Attorneys and to the defendant.

Date: February 4, 2005

A handwritten signature in cursive script, reading 'Elaine Burke', underlined.